

Please amend the claims as set forth below without prejudice to Applicant filing one or more continuation applications directed to the claims as originally filed.

In the Claims:

1. (currently amended) A medical apparatus comprising:

a body with an outer surface having a side opening, the side opening for receiving tissue therethrough;

a cutter adapted to receive energy for cutting tissue, the cutter disposed inward of the opening and adapted to traverse a length of the side opening for cutting tissue extending through the side opening; and

a deformable tissue stop disposed inward of the side opening and the cutter, the tissue stop having at least one opening therethrough for conveying vacuum to draw tissue through the side opening.

2. (original) The medical apparatus of Claim 1 wherein the tissue stop comprises a plurality of openings therethrough for conveying vacuum.

3. (canceled)

4. (original) The medical apparatus of Claim 1 wherein the tissue stop comprises a conductive portion.

5. (original) The medical apparatus of Claim 1 wherein the tissue stop comprises one pole of an RF circuit.

6. (original) The medical apparatus of Claim 1 wherein the body comprises a passageway sized to receive an endoscope.

7. (original) The medical apparatus of Claim 1 wherein the cutter comprises a cutting element supported in sliding engagement with slots disposed on opposite sides of the side opening.

8. (original) The medical apparatus of Claim 1 comprising at least one shear slot for receiving the cutting element.

9. (original) The medical apparatus of Claim 1 further comprising a needle guide.

10. (currently amended) A medical apparatus comprising:
- an outwardly facing surface having a side opening for receiving tissue therethrough;
 - a cutter adapted to receive RF energy for cutting tissue; and
 - a tissue stop disposed inward of the side opening, the tissue stop having at least one opening therethrough for conveying vacuum to draw tissue through the side opening
- wherein the medical apparatus is adapted to receive an endoscope inward of the tissue stop.
11. (original) The medical apparatus of Claim 10 wherein the medical apparatus is adapted to receive an endoscope therein.
12. (original) The medical apparatus of Claim 11 wherein the medical apparatus is adapted to receive an endoscope therethrough.
13. (canceled).
14. (currently amended) A method of obtaining a tissue sample from the Gastro-intestinal tract comprising the steps of:
- providing a source of vacuum;
 - positioning a perforated tissue stop in the gastro-intestinal tract;
 - drawing tissue against the perforated tissue stop in the gastro-intestinal tract;
 - cutting a tissue sample from the tissue drawn against the perforated tissue stop, wherein the step of cutting comprises providing RF energy.
15. (original) The method of claim 14 further comprising the step of deflecting the tissue stop from a first position to a second position.
16. (original) The method of Claim 15 wherein the step of deflecting the tissue stop comprises deforming the tissue stop.
17. (canceled)
18. (original) The method of Claim 17 further comprising the step of providing an RF pole on at least a portion of the tissue stop.

19. (original)The method of Claim 14 further comprising the step of disposing an endoscope inward of the tissue stop.